

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 290 OF 2016

(SHIV SHANKARLALJI SHARMA & ANR....VS..STATE OF MAH. THR. PSO PS RAMNAGAR, GONDIA)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A.HAQ, J.
DATED : MAY 04, 2016.

CRI.APPLN.NO.616/16.

Heard Shri S.V.Manohar, learned Senior Advocate
a/b. Shri C.H.Jaltare, advocate for the complainant, Shri S.P.
Bhandarkar, learned advocate for the applicant and Ms Bharti
Dangre, learned Public Prosecutor for the Non-applicant /
State.

Though the application is strongly opposed on the
ground that if it is allowed it will amount to conferring locus
on the complainant to participate in the proceedings relating
to the incident, for the reasons stated in the application, the
complainant is permitted to assist the prosecution.

The criminal application is allowed.

CRI.APPLN.(ABA) NO. 290/2016.

Heard learned advocates for the respective
parties.

The applicants apprehend arrest in the crime registered against five persons (including the applicants) for the offences punishable under Sections 353, 307, 294, 120-B, 427 and 34 of the Indian Penal Code.

According to the prosecution, the applicants barged into the hall where the father of the complainant was to conduct a press conference and assaulted father of the complainant and the complainant.

The learned advocate for the applicants has referred to the order passed by the learned Additional Sessions Judge in which the reference is made about the video clippings. It is submitted that video clippings falsify the claim of the prosecution that the applicants have assaulted the father of the complainant and the claim the complainant and that the victims have received injuries because of the assault by the applicants.

The facts on record *prima-facie* establish the presence of the applicants at the hall where press conference was to be held by the father of the complainant.

Considering the facts on record, the nature of the incident and the nature of accusations against the applicants, I am not convinced that the applicants are entitled for pre-arrest bail.

The application is dismissed.

CRI.APPLN.(APPP) NO.605/2016.

In view of disposal of the main application, the application for grant of time to file certified copy of the order and say of the prosecution does not survive, hence, it is disposed of.

JUDGE

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